

DANIEL S.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
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1/9/08
EX-12 FILED: JAN 9 2008

EDGAR J. BRONFMAN, JR.,

Plaintiff,

-against-

VIVENDI HOLDING I CORP., THE
BENEFIT EQUALIZATION PLAN OF
VIVENDI S.A., and THE HUMAN
RESOURCES COMMITTEE OF THE
BOARD OF DIRECTORS OF VIVENDI S.A.,

No. 07-CV-2875 [GBD]

**STIPULATION AND ORDER
OF VOLUNTARY DISMISSAL**

Defendants.

X

IT IS HEREBY STIPULATED AND AGREED, by and among plaintiff Edgar J. Bronfman, Jr. and defendants Vivendi Holding I Corp., the Benefit Equalization Plan of Vivendi S.A., and the Human Resources Committee of the Board of Directors of Vivendi S.A., by their undersigned counsel, as follows:

1. This action shall be dismissed with prejudice; and
2. This Stipulation may be filed without further notice with the Clerk of the Court.

Dated: New York, New York
January 4, 2008

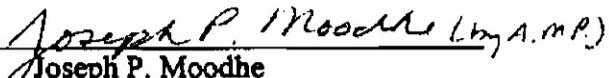
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*Attorneys for Defendants Vivendi Holding I Corp.,
the Benefit Equalization Plan of Vivendi S.A., and
the Human Resources Committee of the Board of
Directors of Vivendi S.A.*

SO ORDERED:

Dated: January ___, 2008

JAN 09 2008


Hon. George B. Daniels
United States District Judge HON. GEORGE B. DANIELS